



# महाराष्ट्र शासन राजपत्र

## असाधारण भाग चार-ब

वर्ष २, अंक ४७]

सोमवार, एप्रिल ११, २०१६/चैत्र २२, शके १९३८

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असाधारण क्रमांक ११९

प्राधिकृत प्रकाशन

महाराष्ट्र शासनाने महाराष्ट्र अधिनियमान्वये तयार केलेले  
(भाग एक, एक-अ आणि एक-ल यांमध्ये प्रसिद्ध केलेले नियम व आदेश यांव्यतिरिक्त) नियम व आदेश

### MEDICAL EDUCATION AND DRUGS DEPARTMENT

Mantralaya, G.T. Hospital Campus, 9th floor,  
Lokmanya Tilak Marg, Mumbai 400 001, dated the 11th April 2016

### NOTIFICATION

MAHARASHTRA UNAIDED PRIVATE PROFESSIONAL EDUCATIONAL INSTITUTIONS (REGULATION OF ADMISSIONS AND FEES) Act, 2015.

No.CET-1215/C.R.412/15/Edu-2.—In exercise of the powers conferred by section 23 of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015 (Mah. XXVIII of 2015), the Government of Maharashtra hereby makes the following rules to regulate the admissions to the First Year of the Full Time Professional Medical Postgraduate courses and Dental Postgraduate courses in the Unaided Private Professional Educational Institutions in the State of Maharashtra, namely :—

1. *Short title and commencement.*—(1) These rules may be called the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admission to the Full Time Professional Post Graduate Medical and Dental courses) Rules, 2016.

(2) They shall come into force with effect from the date they are published in the gazette.

2. *Definitions.*—(1) In these rules, unless the context otherwise requires,—

(a) “Act” means the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015 (Mah. Act XXVIII of 2015);

(b) “Admission Reporting Institution” means a institution where the Candidate shall report for confirmation of admission by submission of documents and payment of fees;

(c) “Application Form” means the prescribed form to be filled up for online or offline by the candidate for admission to the Courses as defined in clause (f);

(d) “CAP Seats” means the seats filled in through the Centralized Admission Process(CAP) carried out by the Competent Authority;

(e) “the CET” means the Common Entrance Test (CET) conducted for admission to the Courses under this rule;

(f) “the Courses” means the Postgraduate Medical Courses or Postgraduate Dental Courses, as the case may be, conducted in the State as per the approval of the MCI or the DCI;

(१)

(g) “the DCI” means the Dental Council of India constituted under the Dentists Act, 1948 (16 of 1948);

(h) “the DCI regulations” means the regulations of the Dental Council of India made for the purposes of the Courses;

(i) “Document Verification Centre” means the city or town where the document verification is to be conducted;

(j) “Eligible Candidates” means the candidates who are eligible for different professional courses as notified by the Government, from time to time, under sub-section (1) of section 3 of the Act;

(k) “Internship” means the compulsory rotating internship to be completed as per rules or regulations of the Medical Council of India (MCI) or the Dental Council of India (DCI) and the Maharashtra Medical Council (MMC) or the Maharashtra State Dental Council (MSDC) and the concerned University;

(l) “Inter-se-Merit” means the order of merit in respect of various classes, category and candidature types of the Candidates determined by following the CET merit in accordance with these rules;

(m) “Institutional Quota” means the seats available for admission to eligible Candidates at Institution level as declared by the State Government or the appropriate authority, from time to time;

(n) “the MCI” means the Medical Council of India constituted under the Indian Medical Council Act, 1956 (102 of 1956);

(o) “MCI regulations” means the regulations of Medical Council of India made for the purposes of the Courses;

(p) “Minority Quota” means the seats earmarked for the Minority Community students from within the State, belonging to the Minority Community to which the institution belongs;

(q) “the MUHS” means the Maharashtra University of Health Sciences established under sub-section (1) of section 3 of the Maharashtra University of Health Sciences Act, 1998 (Mah. X of 1999);

(r) “Qualifying Examination” means examinations on the basis of which a candidate becomes eligible for admission or its equivalent examination thereto;

(s) “Registration” means the registration of the qualification either with the MCI or the DCI or the Maharashtra Medical Council (MMC) or the Maharashtra State Dental Council (MSDC) after completing 1 year compulsory rotating internship.

(2) Words and expressions used in these rules but not defined hereinabove shall have the same meanings as respectively assigned to them in the Act.

3. *Invitation of Application Form.*—The Competent Authority shall invite Online or Offline Applications From, in the form prescribed by it, from the candidates for participating in Common Entrance Test (CET) for seeking admission to the Courses for which the Common Entrance Test (CET) is required for the respective academic year.

4. *Declaration of Medium, pattern, Syllabus, Schedule, etc., of Common Entrance Test (CET).*—(1) Subject to the MCI regulations or DCI regulations, as the case may be, if any, the Competent Authority shall, for the purpose of conducting the Common Entrance Test (CET), declare the following.—

(a) Medium of CET;

(b) Pattern of CET;

(c) Mode of CET;

(d) Schedule of CET;

(e) Issue of Hall Ticket;

(f) Declaration of Result, etc.;

(g) the detailed schedule regarding the Centralized Admission Process (CAP) rounds, admission on the basis of Institutional Quota, admission by Minority Educational Institution, and other matter relating to admission; and

(h) any other matter which is, or may be, necessary for the purposes of conducting the CET.

(2) The Syllabus relating to the CET shall be declared by the Competent Authority with prior approval of the Government of Maharashtra.

5. *Candidature Type.*—

(1) *Maharashtra State Candidature.*—

Type	Eligibility Criterion
A	All candidates, who have passed final M.B.B.S. or B.D.S examination and completed or completing one year internship training by 31st March of CET held year from a recognized medical college included in the Schedule appended to the Indian Medical Council Act, 1956 or from the Schedule appended to the Dentists Act, 1948 and situated in Maharashtra are eligible. The Medical College should have been affiliated to Non-Agricultural Universities established under Maharashtra Universities Act, 1994 or the Maharashtra University of Health Sciences Act, 1998 or the Medical College affiliated to the Deemed university as per University Grants Commission Act, 1956 situated in the State of Maharashtra. The candidate should have obtained registration either from the MCI or the DCI or respective State Council shall be eligible to appear.
B	A candidate who does not fall in type A, but who are domiciled in the State of Maharashtra and who have obtained admission under 15% quota for the All India Pre-Medical Test Entrance Examination (AIPMT) for M.B.B.S. or B.D.S. course in the medical or dental college situated outside Maharashtra State and who have obtained the degree from a University situated outside the State of Maharashtra shall also be eligible for the Common Entrance Test (CET).

(2) *Minority Candidature.*—The Maharashtra domiciled Candidate belonging to a particular linguistic or religious minority community from within the State fulfilling eligibility criteria as per sub-rule (1) of rule 5 shall be eligible under this Category.

(3) *NRI Candidature.*—The candidate who fulfill the conditions as defined in clause (n) of section 2 of the Act shall be eligible under this category.

6. *Sanctioned Intake Seats for various Courses.*—The Sanctioned Intake for the First Year of the Courses shall be as per the approval given by the appropriate authority which is competent for giving approval to respective courses and affiliation given by the respective affiliating University.

7. *Allocation of Seats.*—The percentage of allocation of seats for various types of candidates through CET for First Year of the Courses shall be as per the MCI regulations or the DCI regulations, as specified in the SCHEDULE and in accordance with the policy of the Government for First Year of the Courses.

(1) *Maharashtra State Candidature Seats.*—The Candidates having Maharashtra State Candidature as specified in sub-rules (1) and (2) of rule 5, shall be eligible for these seats.

(2) *Minority Quota Seats.*—The Candidates having Candidature mentioned in sub-rule (2) of rule 5 shall be eligible for these seats as specified in the SCHEDULE. These seats shall be filled in accordance with the provisions of sub-section (2) of section 6, of the Act.

(3) *Institutional Quota Seats.*—The Institution can admit Eligible Candidates against 50% of the Sanctioned Intake, as per the SCHEDULE, subject to following conditions, namely:—

(i) The Candidates having Candidature mentioned in sub-rules (1), (2) and (3) of rule 5 shall be eligible for these seats, if applicable;

(ii) The maximum 15% seats may be filled in from the NRI Candidates at the Institution level, subject to the approval by Admission Regulating Authority;

(iii) If the seats reserved for the NRI quota remains vacant, those vacant seats may be filled in by the Institution, from the Eligible Maharashtra State Candidature as given in sub-rules (1) and (2) of rule 5 on the basis of *Inter-se-merit*.

#### 8. Preparation of Merit List.—

(1) *Assignment of merit number.*—The Competent Authority shall evaluate the answer sheets of the candidates and declare the result or marks scored by candidate at the CET. The final State merit list shall be generated after completing procedure of verification of marks;

(2) *Method of calculating marks at qualifying examination for deciding eligibility.*—While deciding the eligibility of the Candidates following procedure shall be adopted,-

(a) To be eligible for selection to the Medical Postgraduate Courses as decided by the MCI Regulations, a candidate belonging to the General category must secure not less than 50% marks and candidate belonging to Constitutional Reservation category must secure not less than 40% marks at CET.

(b) To be eligible for selection to the Dental Postgraduate courses as decided by the DCI regulations, a candidate belonging to the General category must secure not less than 50% marks and candidate belonging to Constitutional Reservation category must secure not less than 40% marks at the CET.

(3) *Assignment of Merit Number for various Courses.*—

(i) *For admission to First Year Postgraduate Medical Courses.*—

The merit list for the Candidates shall be prepared on the basis of marks or score secured by the Candidate in the CET conducted by the Competent Authority for the purpose of admission to these Courses for the given academic year:

Provided that, in case of, the relative merit of Candidates shall be resolved in the following order of preference and the methodology as specified below:-

In case of two or more candidates obtaining equal marks in the CET, the *Inter-se-merit* of such candidates shall be determined in the order of preference as under:

(a) the candidate with higher aggregate marks (converted into percentage) at First, Second and Third M.B.B.S. Examination (Part-I and II) taken together shall be preferred. If the tie still persists,

(b) the candidate with higher aggregate marks (converted into percentage) at Third M.B.B.S. Examination (Part-I and II) shall be preferred. If the tie still persists,

(c) the candidate with higher aggregate marks (converted into percentage) at Second M.B.B.S. Examination shall be preferred. If the tie still persists,

(d) the candidate with higher aggregate marks (converted into percentage) at I M.B.B.S. Examination shall be preferred. If the tie still persists,

(e) an older candidate shall be preferred over a younger candidate.

(f) While considering I, II, III MBBS marks and aggregate for above purpose, grace marks and/or National Service Scheme (NSS) marks shall not be taken into account.

(ii) *For admission to First Year Postgraduate Dental Courses.*—

The merit list for the Candidates shall be prepared on the basis of marks or score secured by the Candidate in the CET conducted by the Competent Authority for the purpose of admission to these Courses for the given academic year:

Provided that, in case of tie, the relative merit of Candidates shall be resolved in the following order of preference and the methodology as specified below :-

In case of two or more candidates obtaining equal marks in the CET, the *Inter-se-Merit* of such candidates shall be determined in the order of preference as under,-

(a) The candidate with higher aggregate marks (converted into percentage) at First, Second, Third and Final B. D. S. (Sem. I and II) taken together shall be preferred. If the tie still persists,

(b) the candidate with higher aggregate marks (converted into percentage) at final B. D. S. Examination (Sem. I and II) shall be preferred. If the tie still persists,

(c) the candidate with higher aggregate marks (converted into percentage) at Third B.D.S. Examination shall be preferred. If the tie still persists,

(d) the candidate with higher aggregate marks (converted into percentage) at II - B. D. S. Examination shall be preferred. If the tie still persists,

(e) an older candidate shall be preferred over a younger candidate.

(f) While considering I, II, III and Final B. D. S. marks and aggregate for above purpose, grace marks and/or National Service Scheme (NSS) marks shall not be taken into account.

(4) *Method for calculating NRI merit.*- The merit list for the NRI Candidates stated at sub-rule (3) of rule 5 shall be prepared on the basis of the percentage of marks of Qualifying Examination.

#### 9. *Centralised Admission Process (CAP).*—

(1) The Unaided Private Professional Educational Institution shall admit Candidates through the Centralised Admission Process (CAP) as referred in sub-section (3) of section 3 of the Act. The stages of CAP shall be as stated below,-

(a) Display or Publishing of college wise, subject wise and category wise distribution of seats on website;

(b) Display or Publishing of Time Schedule and Venue for preference form filling process on website;

(c) Display or Publishing Brochure of Preference Form filling and counselling process for admission to Courses;

(d) Verification of documents and endorsement of eligibility of the successful candidates for the admission process at the document verification centres i.e. Mumbai, Pune, Aurangabad and Nagpur followed by filling up of Preference Form by the eligible candidates;

(e) Display or Publishing of allotment of seats for Round-I of CAP by way of computerised process and joining of the candidates at respective institution as per the allotment within stipulated time;

(f) Display or Publishing of subsequent computerised round(s) if seats remain vacant after completion of CAP Round-I;

(2) Candidate shall be given a chance to retain a seat that has been allotted, by way of status retention form at the end of each CAP round. If a Candidate accepts the offered seat and they do not want to participate in any further rounds of seat allocation. Such Candidates shall not be considered in subsequent rounds of admission.

#### 10. *CAP allotment stages and process of allotment.*—

Allotment of seats under CAP shall be made in the following manner,-

(1) *Maharashtra State Candidature.*—The stages of computerised allotments are as follows.—

*Stage-I:* For all the Candidates.—

(a) All the Candidates belonging to various categories shall be considered for allotment of seats as per their *Inter-se-Merit*.

(b) The Minority category candidate shall be considered for allotment in Open Category seats by virtue of their *inter-se-merit* and in Minority Quota seats by virtue of merit in their respective minority community to which the institution belongs.

(c) Backward Class Category Candidates shall be considered for allotment in Open Category seat by virtue of their *Inter-se-Merit* or in their respective Category of reservation, if Open Category seats are not available at their merit.

(d) SBC Category Candidates shall be considered for allotment in Open Category seat by virtue of their *Inter-se-Merit* or in OBC Category of reservation, if Open Category seats are not available at their merit.

*Stage-II: For respective groups of Backward Class Category Candidates.—Inter-se-Merit* amongst the reserved categories shall be operated at the end of each round if necessary against the unfilled reserved categories seats as per merit and choice of the reserved categories candidates. The seats remaining vacant from various categories shall be filled in during *Inter-se-Merit* admission process as follows,—

From among the candidates of their respective group from the *Inter-se-Merit* List of that particular group where the vacancies exist.

The groups may be as follows and may be modified by the authority granting the admission as per the policy of reservation of the State Government, existing at the time of admission:-

#### GROUP – I

- (i) Scheduled Castes and Schedule Caste converted to Buddhism (S.C.)
- (ii) Scheduled Tribes including those living out-side specified area (S.T.)

#### GROUP – II

- (i) Vimukta Jati (DT) (A)
- (ii) Nomadic Tribes (NT1(B))

#### GROUP – III

- (i) Nomadic Tribes (NT2 (C))
- (ii) Nomadic Tribes (NT3 (D))
- (iii) Other Backward Classes (OBC) including SBC

*Stage-III: For all Backward Class Category Candidates.—*If the seat reserved for group of Backward Class Category Candidate remains vacant, such seat shall be considered for allotment to the Candidate of *Inter-se-merit* of all Backward Class Category candidates taken together.

*Stage-IV: If the seat reserved for Backward Class Category Candidate remains vacant, such seat shall be considered for allotment to the Candidate of General Inter-se-Merit.*

(2) *For Minority Candidature.—*The stages of computerised allotments are as follows:—

(a) The Minority category candidate shall be considered for allotment in Open category seats by virtue of their *inter-se-Merit* and in Minority Quota seats by virtue of merit in their respective minority community to which the institution belongs.

(b) For minority seats, *inter-se-Merit* will be operated at the end of each round if necessary, against the unfilled minority category seats as per merit

11. *Allotment of seats by CAP Computerised and CAP personal Round.—*

All the CAP Rounds shall be conducted by computerised allotment.

(a) If the seat remains vacant due to non-allotment and non-reporting for admission, or any other reason, such seat shall be considered for allotment in subsequent round.

(b) Final personal counselling round shall be conducted for the unfilled seats. The preferences filled by the candidates shall be null and void for this personal counselling round.

All those candidates shall not be eligible for this personal counselling round,—

- (i) who have not filled preference form; or
- (ii) to whom a seat has been allotted in computerised CAP round(s) and not joined; or
- (iii) who have filled status retention form; or
- (iv) who have been allotted a seat through All India PG quota in Maharashtra and joined the college and not surrendered the seat before a prescribed date.

12. *General provisions.*—

(a) Allotment of the subsequent computerised round(s) shall be on the basis of same preferences submitted by the candidate during preference form filling process.

(b) All the candidates who have filled a preference form and a seat has not been allotted shall be eligible for the subsequent computerised round(s).

(c) All the candidates who have filled a preference form and a seat has been allotted and joined the course and not filled the status retention form shall be eligible for the subsequent computerised round(s).

(d) All the candidates who have filled a preference form and a seat has been allotted and joined the course and filled the Status retention form shall not be eligible for the subsequent computerised round(s).

(e) The allotment list displayed on website shall show the allotment offered to the Candidates. No personal communication or allotment letters in this regard shall be issued to the Candidates;

(f) All the candidates to whom a seat has been allotted on the basis of Merit-cum-preference shall have to compulsorily join the college and course so allotted, within prescribed period by completing the requisite formalities of submitting all relevant original documents and paying prescribed fees in the concern institution. In case he/she does not join the course he/she shall not be eligible for subsequent admission process.

(g) Failure to report in person for seat acceptance shall be considered as if the candidate has rejected the offer.

(h) Allotted Seat shall be cancelled if, at any time, any of the documents or certificates is found to be invalid or fraudulent and/or the Candidate does not meet the eligibility norms.

13. *Admissions in Institutional Quota and vacant seats after CAP.*—The Director or Principal of the institution shall carry out the admissions for these seats in the following manner.—

(a) Admissions shall be made in a transparent manner and strictly as per the *Inter-se-Merit* of the candidate who have applied to the Institution.

(b) Information brochure or prospectus of the Institution which specifies rules of admission should be published well before the commencement of the process of admission. All the information in the brochures should also be displayed on the Institution's website.

(c) Institution shall invite applications by notifying schedule of admission and the number of seats in each course to be filled by the institution, by advertisement in at least two leading newspapers and on the website of the institution.

(d) Aspiring Candidates fulfilling the eligibility criteria as notified by the Government and specified by the appropriate authority, from time to time, shall apply to the Principal or Director of the respective institution for admission at the Institution level.

(e) The institution may give admission to the applicants on the basis of their *Inter-se-Merit* derived from the Merit list declared by the Competent Authority for filling the seats in the Institutional Quota:

Provided that, where the appropriate authority specifies that such admissions shall be based on the basis of CET, in that case the Institutional quota, shall be filled on the basis of *Inter-se-Merit*.

(f) The institution shall prepare and display the *Inter-se-Merit* lists of the Candidates to be filled in at the institution level, in the Institutional Quota and shall publish the same on the website of the institution.

(g) The Minority or Non-Minority institution intending to surrender the Institutional Quota (in part or full) of specified courses to the CAP shall communicate at least one week before the display of seat matrix of each CAP Round and the same shall be allotted as per the rules of CAP.

(h) All the admissions and cancellations shall be communicated to the Competent Authority within the prescribed period given by the Competent Authority, from time to time.

(i) If any CAP seat remains or becomes vacant after the CAP Rounds, then the same shall be filled in by the Candidate from the same Category for which it was earmarked during the CAP. Further if the seats remain vacant then the seats shall be filled on the basis of *Inter-se-Merit* of the applicant.

14. *Institution Level Round*.—If the seats remain vacant after all CAP Rounds, the said seats shall be filled in by the institution through Institution Level Round with the prior approval of the Competent Authority. The institute shall invite applications from desirous candidates who are declared eligible in the CET. The admission shall be granted by the institution strictly on the basis of *Inter-se-Merit* of the CET.

15. *Approval of Merit List and the Admitted Candidates List*.—

(1) After completion of Admission process, every Unaided Private Professional Educational Institution shall submit the Admission- approval proposal to the Admission Regulating Authority in accordance with the sub-section (5) of the section 9 of the Act.

(2) The Admission-approval proposal shall include the list of all Candidates admitted which shall have the quota, Candidature type, reservation, Qualification Marks, etc., as well as the required documents of the Candidates admitted at institution level.

16. *Refund of fees after cancellation of admission by Institutions*.—

(a) Refund of fees by the college after change of college, course or cancellation of admission:

(1) On or before such date as may be declared by the competent authority date Rs.1500 (Rs. One Thousand Five Hundred only) to be deducted and rest of the fees which is entitled to be refunded to the candidate, shall be refunded immediately.

(2) After such date as may be declared by the competent authority - No refund.

(b) If a candidate expires or becomes unfit to undergo the Courses as per MCI norms or DCI norms and decided by notified Medical Board within 3 months from the date of admission, full refund shall be made.

17. *Change of Course or Institution*.—After Cut-off date of admission on mutual basis as per the MCI regulations or the DCI regulations, change of Course or Institution shall not be permitted.

18. *Conduct and Discipline*.—

(a) Failure of the candidate in making full and correct statements in the application form and/or suppression of any information would lead to disqualification of the candidate, even at later date. Such a candidate shall be debarred from the entire selection process.

(b) It is responsibility of every candidate to submit proper documents. Any attempt to submit documents which are not genuine shall lead to cancellation of the admission of the candidate, forfeiture of the fees, deposits and expulsion of the candidate from the college by the Competent Authority or by his authorised official. The name of such candidate/s shall be deleted from the State Merit List and he/she shall not be eligible for further rounds of the selection process and shall be debarred from the selection process.



(c) If any candidate/Authorised representative or person accompanying is found obstructing the counseling and/or admission process, or trying to influence in unlawful manner/creating nuisance, the candidate shall be liable for disqualification from the process of selection and appropriate legal action shall be taken. The decision taken by the Competent Authority in this respect shall be final and binding.

(d) Maharashtra University of Health Sciences, Nashik shall take the decision regarding eligibility, enrolment and registration and granting of the term of selected candidates. The selection of a candidate by the Competent Authority at a later date does not place any onus to accord approval for grant of term.

(e) Canvassing directly or indirectly for the allotment of seat would disqualify the candidate for admission. Influencing the staff by unfair means, shall lead to cancellation of allotted seat and such candidate shall also face disqualification for appearance in the subsequent Medical/Dental Postgraduate CET.

(f) In case of dispute in the matter of allotment of seat/course/institution or any other matter pertaining to the provisional selection or cancellation of admission, the decision of the Competent Authority shall be final and binding.

*Schedule*

(See rule 7)

Sr. No.	Type of Institution	Percentage of seats to be filled through the State Common Entrance Test Cell	Institutional Quota (Including NRI Quota)
(1)	(2)	(3)	(4)
(A) Postgraduate Medical Courses			
1.	Unaided Private Professional Institutions (excluding minority Institutions)	50%	50%
2.	Unaided Minority Education Institutions	50% for minority Community, However unfilled seats will be filled by Non- minority Candidates	50%
(B) Postgraduate Dental Courses			
1.	Unaided Private Professional Institutions (excluding minority Institutions)	50%	50%
2.	Unaided Minority Education Institutions	50% for minority Community, However unfilled seats will be filled by Non- minority Candidates	50%

By order and in the name of the Governor of Maharashtra,

ANJALI V. AMBHIRE,  
Deputy Secretary to Government.